

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE
CONFERENCE OF THE NAACP, and

TAIWAN SCOTT, on behalf of himself and all
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official
capacity as President of the Senate; LUKE A.
RANKIN, in his official capacity as Chairman of
the Senate Judiciary Committee; JAMES H.
LUCAS, in his official capacity as Speaker of the
House of Representatives; CHRIS MURPHY, in
his official capacity as Chairman of the House of
Representatives Judiciary Committee;
WALLACE H. JORDAN, in his official capacity
as Chairman of the House of Representatives
Elections Law Subcommittee; HOWARD
KNAPP, in his official capacity as interim
Executive Director of the South Carolina State
Election Commission; JOHN WELLS, Chair,
JOANNE DAY, CLIFFORD J. EDLER, LINDA
MCCALL, and SCOTT MOSELEY, in their
official capacities as members of the South
Carolina Election Commission,

Defendants.

**Case No. 3-21-cv-03302-MGL-
TJH-RMG**

THREE-JUDGE PANEL

NOTICE OF INTENT TO FILE OPPOSITION

On January 6, 2023, this three-judge panel issued a unanimous post-trial order, finding that Congressional District (“CD”) 1 violates Plaintiffs’ rights asserted in Counts One and Two of the Third Amended Complaint, but finding that Plaintiffs failed to carry their burden of proof with respect to CDs 2 and 5. ECF No. 493 at 32. The Court allowed, but did not require, the General

Assembly to remedy the violations during the ongoing legislative session, which began on January 9, 2023, and present any remedy to the Court before March 31, 2023. *Id.*

Three weeks after the Court's January 6 ruling, Defendants filed a Motion for a Stay of the Court's Order on January 27, 2023. Though Defendants did not move for expedited consideration of their motion under Local Civ. R. 6.01, they did make an informal request for the Court to "enter an expeditious ruling." ECF No. 495 at 2.

In normal course, Plaintiffs' response would be due on Friday, February 10, 2023. Out of an abundance of caution, Plaintiffs respectfully inform the Court that they intend to file an opposition to Defendants' Motion for a Stay, by no later than Friday, February 3.

Dated: January 29, 2023

Leah C. Aden**
Stuart Naifeh**
Raymond Audain**
John S. Cusick**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector St, 5th Fl.
NY, NY 10006
Tel.: (212) 965-7715
laden@naacpldf.org

Santino Coleman*** Fed. ID. 11914
Antonio L. Ingram II**
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
700 14th St, Ste. 600
Washington, D.C. 20005
Tel.: (202) 682-1300
scoleman@naacpldf.org
aingram@naacpldf.org

Adriel I. Cepeda Derieux**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street, 18th Floor

Respectfully Submitted,

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181
AMERICAN CIVIL LIBERTIES UNION
OF SOUTH CAROLINA
Columbia, SC 29202
Tel.: (864) 372-6681
achaney@aclusc.org

Christopher J. Bryant, Fed. ID 12538
BRYANT LEGAL, LLC
126 W. Henrietta St.
Baltimore, MD 21230
Tel.: (843) 779-5444
chris@bryant.legal.com

Somil B. Trivedi**
Patricia Yan**
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
915 15th St., NW
Washington, DC 20005
Tel.: (202) 457-0800
strivedi@aclu.org

Jeffrey A. Fuisz**

New York, NY 10004
Tel.: (212) 549-2500
acepedaderieux@aclu.org

John A. Freedman**
Elisabeth S. Theodore*
Adam Pergament**
Gina M. Colarusso**
John M. Hindley**
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., N.W.
Washington, D.C. 20001
Tel: (202) 942-5000
john.freedman@arnoldporter.com

** Motion for admission Pro Hac Vice
forthcoming*

*** Admitted Pro Hac Vice*

**** Mailing address only (working
remotely from South Carolina)*

Janette M. Louard*
Anthony P. Ashton*
Anna Kathryn Barnes**
NAACP OFFICE OF THE GENERAL
COUNSEL
4805 Mount Hope Drive
Baltimore, MD 21215
Tel: (410) 580-5777
jlouard@naacpnet.org

** Motion for admission Pro Hac Vice
forthcoming*

*** Admitted Pro Hac Vice*

*Counsel for Plaintiff the South Carolina
Conference of the NAACP*

Paula Ramer**
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, NY 10019
Tel: (212) 836-8000
jeffrey.fuisz@arnoldporter.com

Sarah Gryll**
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison Street, Suite 4200
Chicago, IL 60602-4231
Tel: (312) 583-2300
sarah.gryll@arnoldporter.com

*Counsel for Plaintiffs the South Carolina
Conference of the NAACP and Taiwan Scott*

CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2023 a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Allen Chaney
Allen Chaney, Fed. ID 13181

*Counsel for Plaintiffs the South Carolina
Conference of the NAACP and Taiwan Scott*